

P R O C E E D I N G S

Whereupon,

DOROTHY WADE

was called as a witness and, having first been duly sworn,
was examined and testified as follows:

EXAMINATION

BY MS. MOLINE:

Q Could you please state your full name and
address for the record.

A Dorothy Alice Wade. 11100 Sweet Wood Lane,
Oakton, Virginia. 22124.

Q Ms. Wade, I'm Denise Moline. I represent
Charley Cecil and Dianna Mae White, White Broadcasting in
this proceeding. If you don't understand any question
that I ask you, please don't hesitate to ask me to clarify
or restate the question. You may not consult your
attorney about any of your answers and if you need to take
a break, just let me know.

A Thank you.

Q Now, Ms. Wade, can you tell me how you first
heard about the availability of the new FM station
Baldwin, Florida?

1 A Yes.

2 Q Would you please tell me how you heard.

3 A You want to know how I heard about the
4 possibility of the station?

5 Q Yes.

6 A A gentleman that I had spoken to about my
7 interest in radio stations contacted me and told me that
8 it was available.

9 Q And who was that gentleman?

10 A A media consultant hired by Lilian Holt.

11 Q And what was his name?

12 A Mr. Joe Mims.

13 Q And he was -- he's a media consultant?

14 A That's my understanding.

15 Q Do you know where Mr. Mims keeps an office?

16 A No, I don't.

17 Q How do you know that he was hired by Lilian
18 Holt?

19 A She called me and she told me that she had hired
20 him.

21 Q Okay. Did --

22 A Actually, let me go look. I guess I misspoke.

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1 Lilian is the one that called me and told me that the
2 radio station was available and asked if I was interested,
3 but Mr. Mims had put the two of us together --

4 Q Okay.

5 A -- at my request.

6 Q Did you know Mr. Mims previously, then?

7 A Prior to speaking to him on the phone?

8 Q Prior to speaking to Ms. Holt on the phone.

9 A Yes.

10 Q And how had you met Mr. Mims?

11 A I introduced myself to him.

12 Q On what occasion?

13 A As I recall, we met in Washington at one of the
14 many Washington gatherings, one of the parties or dinners
15 in the city.

16 Q At a social gathering?

17 A Uh-huh.

18 Q Do you recall when you met Mr. Mims?

19 A I don't recall exactly. It would have been
20 sometime in 1989. Sometime probably toward the middle or
21 last part of the year. I don't remember specifically the
22 date.

1 him and told him I was interested.

2 Q Did you call him or did he call you?

3 A We met. I introduced myself to him and
4 following that, he called me and I may have called him one
5 or two times. I think he was trying to find out if I was
6 seriously interested. I understand that's the kind of
7 thing he did and I was interested in pursuing it.

8 Q What did you tell him your interest was? Were
9 you interested in owning and managing a station?

10 A No. Really interested in investing, I guess.
11 Is that your question?

12 Q Yes, that's my question.

13 A I was really interested in investing.

14 Q Do you know if Mr. Mims has a corporation that
15 he owns?

16 A I don't know.

17 Q Do you know if he works for anyone, any media
18 consulting firm?

19 A I don't recall any conversation to that effect.

20 Q Do you know where Mr. Mims resides, do you know
21 where he has his business?

22 A No, no.

1 Q No and no. Did you ever ask him for a resume?

2 A I'm not sure of your question. When you say
3 "resume," do you mean written as opposed to did I ask for
4 verbal information?

5 Q Either verbal or written resume?

6 A I asked for a great deal of verbal information.
7 I did not request written information.

8 Q Did he give you information about him?

9 A Yes.

10 Q And what was the nature of the information he
11 gave?

12 A His experience in putting together the kind of
13 deals I was interested in.

14 Q Okay. Did he name some deals that he had been
15 involved with before?

16 A Not specifically. He gave me more the gist of
17 his experience and his skills. That's what I was more
18 interested in, what he could do.

19 Q What was his experience?

20 A In -- it seemed to me that his experience was
21 exactly what I was looking for at the time and that was
22 someone who could help me find a suitable partner to work

1 with. I was interested in investing in a radio station.

2 Q Well, that's not really responsive.

3 Could you tell me what experience he had had in
4 putting this kind of deal together, had he done this for
5 anyone else?

6 A That was my understanding that -- I really -- I
7 guess I don't understand the question. He -- ask me the
8 question again, if you don't mind, or rephrase it.

9 Q Had he been involved in similar deals in putting
10 investors and owners, managers together in other broadcast
11 proceedings?

12 A I don't recall that specific information.

13 Q Okay. Was -- had Mr. Mims ever been a
14 broadcaster?

15 A I don't recall that specifically.

16 Q Did he give you references?

17 A He gave me -- I did not ask for references. He
18 did mention some references. I did not pursue those and I
19 couldn't recall who they were. He had mentioned -- in
20 other words, I was not in the business, so I wanted to be
21 in the business. I felt very good about him. I felt -- I
22 go a lot on personalities and how you feel about someone

1 and I was very impressed with him.

2 Q Would it be fair to say that you didn't check up
3 on Mr. Mims at all?

4 A No, that wouldn't be fair. It seems as though
5 there may have been other friends I had that had talked
6 with him also that evening. This has been now a couple
7 years. And they may have also felt good -- I just felt
8 good about him, and it's not like me not to check up on
9 someone, but you are talking about two years ago. I don't
10 remember specifically calling specific people to ask about
11 him, if that's what you mean. It seems I may have had one
12 friend or so that told me that they thought he was a good
13 guy. My husband also met him and felt very good about
14 him, and that carries a lot of weight with me.

15 Q Did he ever give you a written summary of his
16 experience?

17 A Does this go back to the resume question?

18 Q Yes.

19 A No.

20 Q Would it be fair to say that he put you in touch
21 or he put Mrs. Holt in touch with you rather than the
22 other way around?

1 Q Are you from northern Florida?

2 A Yes.

3 Q And when did you move to Washington?

4 A I've been here since college. That would be
5 since 1979.

6 Q Did you go to the University of Florida?

7 A No. I went to the University of Georgia. My
8 husband is a Florida graduate.

9 Q So you are familiar with the area?

10 A Very.

11 Q Do you perceive the Baldwin station as being in
12 the Jacksonville market?

13 A I don't have the expertise to answer that
14 question. I think maybe that falls in the business area,
15 and that maybe is Lilian's area.

16 Q Did Lilian ever tell you that the Baldwin
17 station would effectively be a Jacksonville station?

18 A No, she never said that to me.

19 Q Did you ever see the results of any market
20 research regarding Baldwin or Jacksonville?

21 A Not that I recall.

22 Q Did do you know if Mr. Mims ever provided

1 Ms. Holt with any market research analysis of the
2 Jacksonville area?

3 A The question is, do I know if he did that?

4 Q Do you know?

5 A No, I do not know that.

6 Q Do you think he may have done that?

7 A It is possible. Again, I guess that falls in
8 the business realm and I don't -- very happily I am not
9 involved in the business end of the station. I don't keep
10 up with those things so much.

11 Q Do you know if Mr. Mims was paid for his
12 services in bringing you and Mrs. Holt together for
13 performing whatever services he performed regarding
14 providing her with information about the Baldwin station
15 in the application process?

16 A Is your question --

17 Q Was he paid?

18 A Did I pay him?

19 Q Do you know if he was paid?

20 A No, I do not know, and no, I did not pay him.

21 Q Do you know if Mrs. Holt paid him?

22 A No, not to my knowledge.

1 Q Do you know if Mr. Mims is independently
2 wealthy?

3 A I don't know that. I know that he recorded a
4 record for James Brown and he still gets royalties on
5 that. So I know a little bit about him, but I don't know
6 if he's independently wealthy.

7 Q Is he a producer?

8 A I don't know.

9 Q Do you know if he was ever --

10 A That was a former life, as he put it to me. A
11 former life when he was a young kid, he wrote a record for
12 James Brown.

13 Q I see. He wrote a record?

14 A I think he wrote the lyrics or something like
15 that.

16 Q I see. My next question was, do you know if he
17 was at one time a record producer?

18 A I don't think so, but I couldn't answer that
19 question. He put it to me, "In a former life, I knew
20 James Brown." I thought that was very interesting.

21 Q It certainly is. Now, about how long before the
22 application -- are you familiar with the date that the

1 Q Who hired Clyde Gurley?

2 A I assume Lilian did.

3 Q Did you know him prior to this application?

4 A No.

5 Q Have you ever spoken to Mr. Gurley?

6 A Don't recall having spoken to him. I may have.

7 I don't recall it. Again, that's the business end of the
8 deal. She handles that. Lilian does.

9 Q Did you -- you didn't recommend Mr. Gurley's
10 name to her?

11 A No, I don't know that kind of person.

12 Q Did you recommend Mr. Winston as an attorney to
13 Mrs. Holt?

14 A No.

15 Q Had you ever met Mr. Winston?

16 A No.

17 Q Is he your attorney for any other broadcast
18 ventures that you are involved in?

19 A Yes.

20 Q When did -- you have an interest in another
21 broadcast station; is that right?

22 A Yes.

1 or a limited partnership?

2 A I'd have to refer to the documents, or I'd like
3 to.

4 Q What we have is paragraph 4 of the Baldwin
5 applicants integration statement.

6 THE WITNESS: Yes.

7 BY MS. MOLINE:

8 Q Now the name of the applicants doesn't indicate
9 whether it's a limited partnership or a corporation. Do
10 you know which it is?

11 A Couldn't tell you with 100 percent certainty.

12 Q What do you think it is?

13 A I think it's a corporation.

14 Q Corporation?

15 A I think it's a similar situation that I have in
16 Florida.

17 Q Martinez and Baldwin would be similar?

18 A I believe so, but I would have to go back to
19 documents.

20 Q And you hold a 75 percent equity interest rather
21 than, I believe you testified to, a 25 percent equity
22 interest?

1 A For me. If I did, I misspoke. I was referring
2 to the voting shareholder. I hold 75 percent.

3 Q You hold 75?

4 A Yes.

5 Q So it's a similar setup in Martinez?

6 A That's my recollection.

7 MR. WINSTON: If you want a statement for the
8 record, it is a corporation.

9 MS. MOLINE: It is a corporation?

10 MR. WINSTON: Yes. Set up the same way.

11 MS. MOLINE: Thank you. I appreciate that.

12 BY MS. MOLINE:

13 Q And does Mr. Winston represent the applicant in
14 that facilities?

15 A Yes.

16 Q Did Mr. Mims bring you and the owner/manager, if
17 I can refer to that person as in that role, or the voting
18 shareholder together in that facility at as well?

19 A I was contacted by phone by the other
20 individual, and my understanding is that she was contacted
21 by Mr. Mims.

22 Q Okay. Do you know if Mr. Mims gave her

1 get together?

2 A He tried to ascertain how serious I was and what
3 my capability was and then he was basically out of it, I
4 guess. I didn't talk to him. I had people call me and we
5 went from there.

6 Q Put together the application thereafter. Okay.
7 Do you know if Mr. Mims is to receive a bonus for his
8 services if Northeast Florida gets a construction permit
9 for the radio station in Baldwin?

10 A I don't believe so.

11 Q Do you know if Mr. Mims is to have any kind of a
12 voting or an equity interest in Northeast Florida if
13 Northeast is successful in getting a construction permit
14 for the Baldwin, Florida station?

15 A Can you rephrase that question? I'm afraid if I
16 answer it, I'm not going to be answering what you want to
17 know.

18 Q Do you know in return for his services in
19 helping the applicant and helping Mrs. Holt and then in
20 putting you and she together, is Mr. Mims going to receive
21 an equity interest or a voting interest or any kind of an
22 interest in Northeast Florida by way of stock or equity?

1 A Is your question, is Mr. Mims receiving
2 remuneration?

3 Q No, is he going to receive an ownership interest
4 in Northeast Florida if you are successful in getting a
5 construction permit?

6 A No.

7 Q Is he going to be paid --

8 A No.

9 Q -- if you're successful in getting a
10 construction permit?

11 A No.

12 Q Then I believe you said earlier that you don't
13 know whether he's been paid or not?

14 A He has not been paid to my knowledge. He has
15 not been paid by me, and as a matter of fact I asked the
16 question of him, you know, "why are you doing this" and
17 he's not paid. You know, in other words, at one point I
18 said, should I pay you and he said, no, you don't pay me
19 and no one pays me for this.

20 Q Why does he do it? Did he ever tell you?

21 A You'd have to ask him.

22 Q Did you ever ask him?

1 A Did I ask him what?

2 Q Why he did it.

3 A I asked him if I should pay him for his services
4 and he said no, that he would not be paid for this. I
5 don't know. I assume maybe he makes friends or contacts.
6 I don't know. He's a media consultant.

7 Q He never told you why he does this without being
8 paid for it?

9 A I just simply asked him if I would pay him. I
10 didn't get into any long, drawn-out discussion with him.
11 So no. The answer is no.

12 Q Did he ever ask you whether he could serve as a
13 broker for your station if you were successful and then
14 later on sold it?

15 A Did he ever ask me that, no. No, no, nothing
16 like that. Nothing like that has ever been discussed.

17 Q Do you know if he has contracted with Mrs. Holt
18 to broker the station in the event that Northeast is
19 successful and later sells the station?

20 A I doubt that, because she and I did discuss the
21 fact that he is not paid. I told her that I wasn't paying
22 him and she told me she's not paying him and that's all I

1 money, yes.

2 Q Do you know -- do you know whether Lilian Holt
3 paid in her \$250 for her voting shares?

4 A It's my understanding that she did, but I could
5 not -- I haven't seen documentation to that effect.

6 Q Do you know whether she has contributed the full
7 amount of her capital contribution?

8 A It's my understanding that she has.

9 Q One final question. Do you know if Joe Mims is
10 going to get anything out of this application?

11 A My understanding is he will not.

12 MS. MOLINE: Those are all the questions that I
13 have.

14 MR. WINSTON: Mr. Halagao.

15 EXAMINATION

16 BY MR. HALAGAO:

17 Q Mrs. Wade, my name is Avelino Halagao and I
18 represent JEM Productions, Limited Partnership and I'll
19 ask a couple of questions here. You mentioned in your
20 testimony today that Mrs. Holt called you first regarding
21 this opportunity in Baldwin, Florida?

22 A That's my recollection.

1 recall exactly, but --

2 Q What's the name of the attorney?

3 A I don't even know that he did that. That would
4 be very typical of him.

5 Q You have indicated that you are not paying
6 Mr. Mims any fee for this venture; is that correct?

7 A That's correct.

8 Q And you have also indicated that Mr. Mims is not
9 being paid, or you're not aware of that Mrs. Holt is
10 paying Mr. Mims?

11 A We have discussed that, and I was told by her
12 that she is not paying him.

13 Q Okay. Do you have any idea why Mr. Mims -- is
14 there any reason that Mr. Mims is doing this out of the
15 blue, from the goodness of his heart?

16 A I don't know. I just don't know.

17 Q And do you know if Mr. Mims is a good personal
18 friend of Mr. Winston?

19 A I don't know. I don't know if the two of them
20 know each other.

21 Q And you have this \$200,000 investment with this,
22 you mentioned to be unsecured loan. Are you telling us

1 decision. I had no part in that decision.

2 Q But you had suggested --

3 A No, I did not suggest names, no.

4 Q -- the specific name of the corporation with
5 Northeast Florida?

6 MR. WINSTON: Broadcasting, Inc.

7 BY MR. HALAGAO:

8 Q Yes. That was her own initiation or selection?

9 A I don't know why she came up with that. I don't
10 know if someone suggested it to her or if she did it
11 herself. It was not my suggestion, as I recall.

12 Q Mrs. Wade, do you know Mr. Mims' occupation?

13 A Mr. Mims, as I understand it, is what he calls a
14 media consultant. That's what he told me. That's how I
15 know him.

16 Q And in that occupation, do you know if he's paid
17 being that media consultant?

18 A I would assume that there are things that he
19 does for which he is paid as a media consultant. I don't
20 know exactly what those activities are.

21 (Pause.)

22 BY MR. HALAGAO:

EXHIBIT 4

**NORTHEAST FLORIDA
EXHIBIT NO. 4**

4-9
21 35

ORANGE COUNTY
WILDLIFE REFUGE

RECORD

AMENDED TO SHOW RESIDENTIAL SITES
AUGUST 19, 1991

EXHIBIT 5A1

NORTHEAST FLORIDA BROADCASTING CORP.
PROPOSAL TO CONSTRUCT A NEW FM STATION
IN BALDWIN, FLORIDA
Channel 289A 6 kW 100 Meters

AREA-2510.7 sq.km. / POP-104,425 people

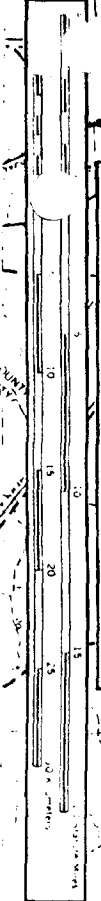


EXHIBIT 5A₂

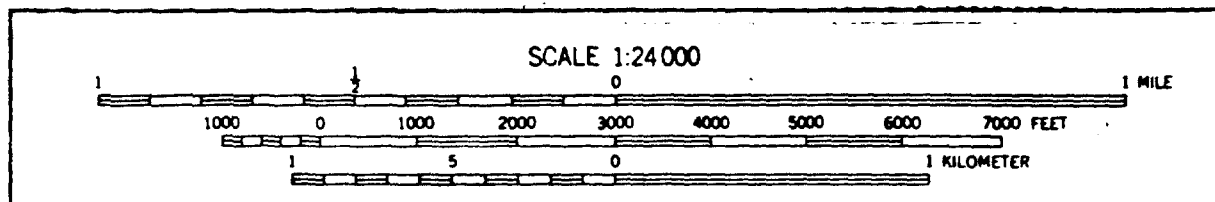
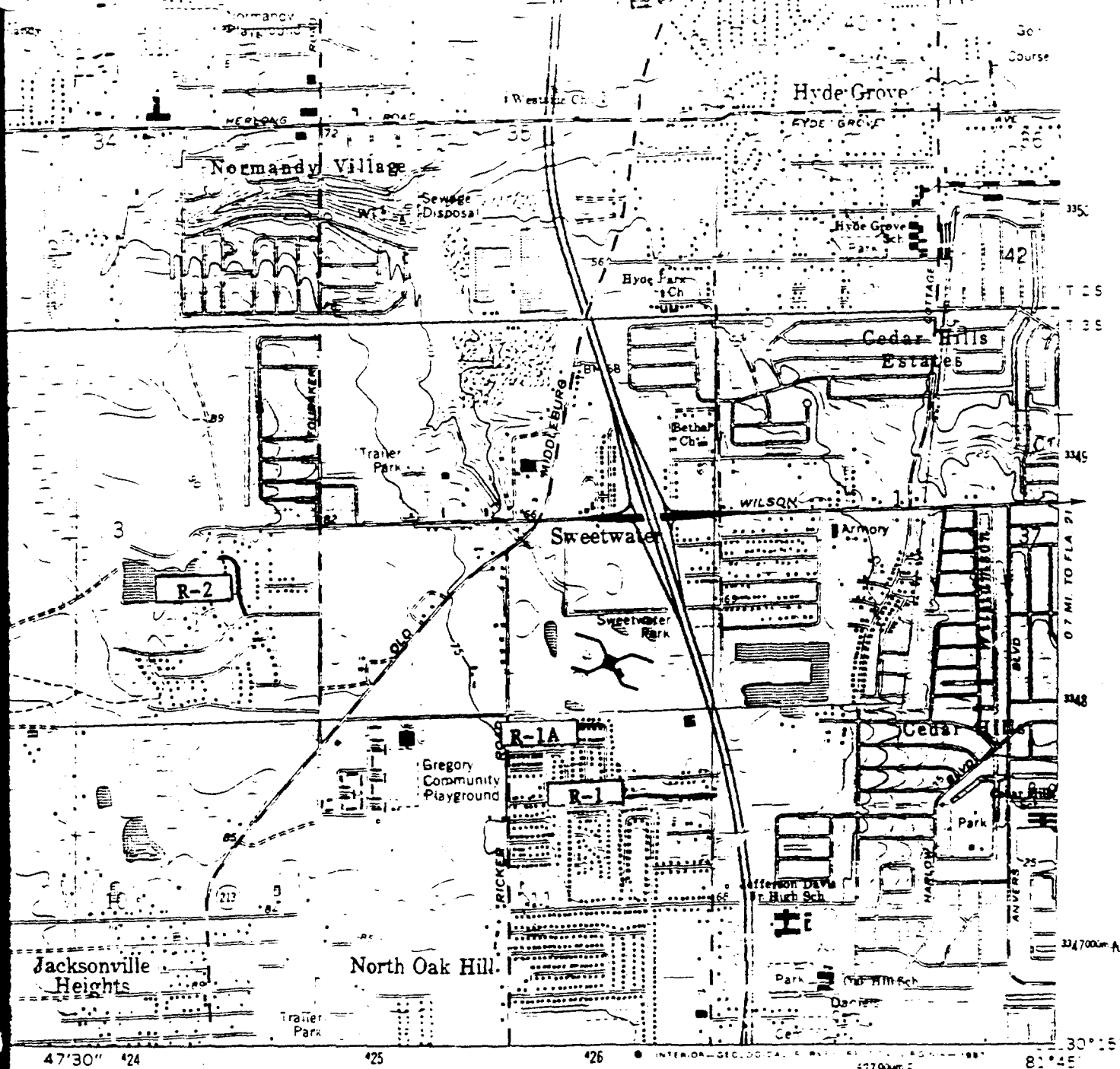
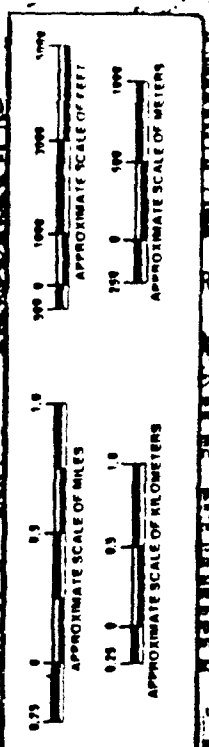
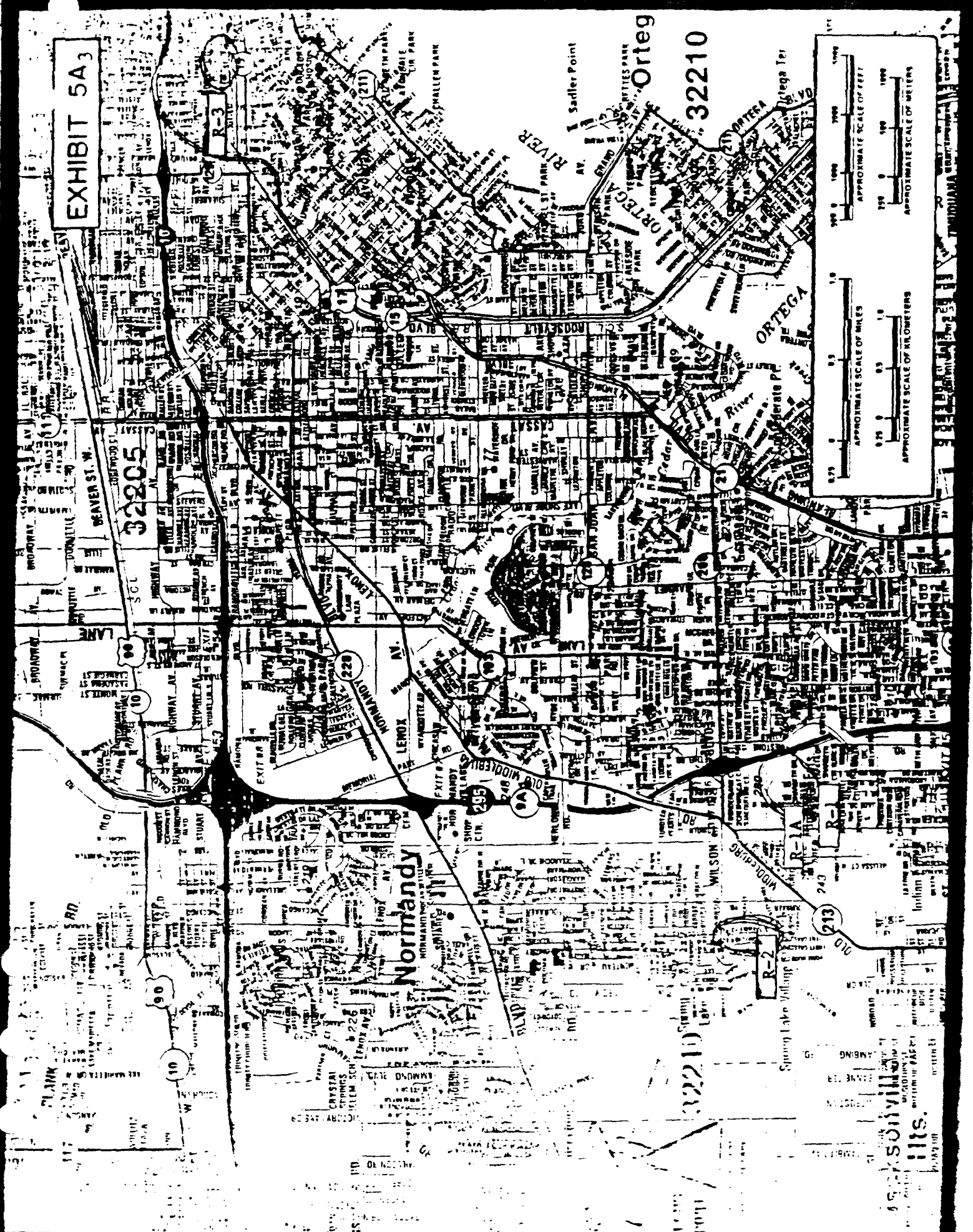


EXHIBIT 5A3



DECLARATION

I, Clyde E. Gurley, hereby depose and declare under penalty of perjury that the following is true and correct:

I am an engineer and I have been retained by Northeast Florida Broadcasting Corp. ("Northeast Florida") as its Telecommunications Consultant. My qualifications are a matter of record with the Federal Communications Commission.

I have been asked to prepare a map that shows the locations of Ms. Lillian Holt's residences in relation to the projected signal strength contours of the facility that is proposed by Northeast Florida.

I did this by first transferring the locations of Ms. Holt's residences from a map of Metropolitan Jacksonville and Duval County, Florida, see Exhibit 5A3, to a standard geographical map. See Exhibit 5A2. I then transferred location of the residential sites to a map showing the projected 70 dBu and 60 dBu contours of the proposed facility relative to these locations. See Exhibit 5A1.

The map that I have prepared shows that Ms. Holt's residences at both 7235 Sharbeth Drive South and 3716 Bramble Road are within the projected 60 dBu signal contour for the facility. However, her current residence at 2567 College Street is outside of the projected contours.


Clyde E. Gurley

Dated: August 20, 1991